

<b>Chapter 7 Trustee</b> Name, Address, Telephone & FAX Numbers	FOR COURT USE ONLY
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA</b>	
In re:          Debtor(s).	CHAPTER 7  CASE NO.:

**TRUSTEE'S NOTICE OF MOTION AND MOTION UNDER LOCAL BANKRUPTCY RULE 2016-2 FOR:**

- ☐ **AUTHORIZATION TO EMPLOY PARAPROFESSIONALS,  
AND/OR**
- ☐ **AUTHORIZATION TO PAY FLAT FEE TO TAX PREPARER;**

**NOTICE OF OPPORTUNITY TO REQUEST HEARING; DECLARATION OF TRUSTEE;  
AND DECLARATION OF PARAPROFESSIONAL**

[No hearing unless requested under Local Bankruptcy Rule 9013-1(g)(1)]

**TO PARTIES IN INTEREST:**

PLEASE TAKE NOTICE that the duly-appointed chapter 7 trustee has filed the following motion for court approval of the trustee's request to ☐ employ a paraprofessional, and/or ☐ pay a flat fee to a tax preparer of up to \$\_\_\_\_\_ (not to exceed \$750 unless the court orders otherwise). The court may grant the motion authorizing retention of a paraprofessional and expenditure of estate funds without a hearing unless you file with the court and serve upon the trustee and the United States Trustee a written objection to the motion explaining all of the reasons for the opposition **WITHIN 10 DAYS OF THE SERVICE DATE APPEARING BELOW**. If an objection is timely filed, the trustee will set the matter for hearing and notify you of the date and time of the hearing. Failure to object may be deemed consent to interim authorization of the expenses requested by the trustee.

- ☐ 1. The trustee moves for an order authorizing employment of a paraprofessional, as follows:

A. Identity of proposed paraprofessional: \_\_\_\_\_

(i) A resume and rate for services is attached as Exhibit A.

(ii) It is estimated that the fees for all work by the paraprofessional will be \$\_\_\_\_\_.

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B. The trustee contends that the paraprofessional will provide the following services that are listed in paragraph (f)(1) of Local Bankruptcy Rule 2016-2, and fees for these services will be included in the statutory limitation on the trustee's compensation pursuant to 11 U.S.C. §326(a):

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

C. The trustee contends that the paraprofessional will provide the following services that are not included in paragraph (f)(1) of Local Bankruptcy Rule 2016-2, and fees for these services should be paid separate and apart from the trustee's compensation allowed pursuant to 11 U.S.C. §326(a):

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

☐ 2. The trustee moves for an order authorizing employment of a tax preparer, as follows:

A. Identity of proposed tax preparer: \_\_\_\_\_

(i) A resume is attached as Exhibit B.

B. The tax preparer has agreed to accept up to \$\_\_\_\_\_ (not to exceed \$750 unless the court orders otherwise) as payment in full for the following services:

\_\_\_\_\_

\_\_\_\_\_

☐ 3. The trustee further moves for an order authorizing payment from property of the estate of a sum not to exceed \$\_\_\_\_\_ (not to exceed \$750 unless the court orders otherwise) to the tax preparer upon completion of such services to the estate without a separate fee application being required.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Chapter 7 Trustee

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### DECLARATION OF TRUSTEE

I, \_\_\_\_\_, the duly-appointed chapter 7 trustee, have prepared the foregoing motion for ☐ authorization to employ paraprofessionals, and/or ☐ for authorization to pay a flat fee of \$\_\_\_\_\_ (not to exceed \$750 unless the court orders otherwise) to a tax preparer. The effective and efficient administration of this bankruptcy case dictates approval of the motion and I base that conclusion on the following facts:

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_.  
(city, state)

\_\_\_\_\_  
Chapter 7 Trustee

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**DECLARATION OF DISINTERESTEDNESS FOR EMPLOYMENT  
OF PARAPROFESSIONAL PERSON UNDER LOCAL BANKRUPTCY RULE 2016-2**

1. The following is a complete description of all of the paraprofessional's connections with the debtor, principals of the debtor, insiders, the debtor's creditors, any other party or parties in interest, and their respective attorneys and accountants, or any person employed in the Office of the United States Trustee:
  
2. The paraprofessional is not a creditor, an equity security holder or an insider of the debtor, except as follows:
  
3. The paraprofessional is not and was not, within 2 years before the date of the filing of the petition herein, a director, officer or employee of the debtor in connection with the offer, sale or issuance of any security of the debtor.
  
4. The paraprofessional neither holds nor represents any interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in the debtor or an investment banker for any security of the debtor, or for any other reason, except as follows:
  
5. The paraprofessional is not a relative or employee of the United States Trustee or a bankruptcy judge, except as follows:

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information and belief.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Type Name*

\_\_\_\_\_  
*Signature*

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### DECLARATION OF NON-OPPOSITION

I declare under penalty of perjury under the laws of the United States that I am employed by the trustee and that as part of my duties I check all incoming correspondence and opposition to the trustee's motions. I certify that the trustee has not been served with any opposition to the foregoing motion as of this date.

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*Date*

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*Type Name*

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*Signature*

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**PROOF OF SERVICE BY MAIL**

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

I am employed by the trustee in the above county. I am over the age of 18 and not a party to the within action. My business address is:

On \_\_\_\_\_, I served the foregoing TRUSTEE'S NOTICE OF MOTION AND MOTION UNDER LOCAL BANKRUPTCY RULE 2016-2 FOR ☐ AUTHORIZATION TO EMPLOY PARAPROFESSIONALS AND/OR ☐ AUTHORIZATION TO PAY FLAT FEE TO TAX PREPARER; NOTICE OF OPPORTUNITY TO REQUEST HEARING; DECLARATION OF TRUSTEE; AND DECLARATION OF PARAPROFESSIONAL on interested parties at their last known address by placing a true and correct copy thereof in a sealed envelope with first-class postage fully prepaid in the United States Mail at \_\_\_\_\_, California addressed as follows:

☐ See Attached List

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

\_\_\_\_\_  
Date\_\_\_\_\_  
Type Name\_\_\_\_\_  
Signature

In re	(SHORT TITLE)	CHAPTER 7
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**EXHIBIT "A/B" SAMPLE****JOHN A. BAER**

30140 Longhorn Drive, Canyon Lake, CA 92587  
 (909) 244-6812 (office) - (909) 244-0972 (fax)  
 (213) 307-3953 (pager) - (213) 308-8567 (mobile)

**EXPERIENCE:****Oct. 1981 to Present: Independent Contractor:**

Providing a full range of administrative and management services in business or insolvency related cases to businesses, bankruptcy trustees, court appointed receivers, debtors and creditors. Wide range of experience in both liquidating and operating cases including asset recovery and liquidation litigation support, preference analysis and business reorganization management, oversight and guidance.

**Duties**

- Recovery, Planning and Implementation to Liquidate Real and Personal Property Assets
- Financial and Operation Analysis
- Budgeting Projections, Case Management, Cash Flow Planning
- Business Plan Analysis and Implementation
- Coordinate Business and Legal Facets of Business Reorganizations
- Creditor Negotiations to Restructure Debt
- Physical Inventory and Valuation
- Plan/Implement/Manage Self Liquidations for Highest Net Return
- Administration/Collection of Accounts Receivable
- Cost Effective Initial Preference Analysis/Litigation Support
- Cost Effective Initial Claims Review/Litigation Support
- Forensic Reconstruction, Organization and Analysis to Locate and Recover Assets and Reconstruct Records

**Oct. 1977 to Oct. 1981: Partner, Sun Realty Company:**

Operations involved 23 real estate offices, four escrow companies, mortgage brokerage, insurance brokerage, and real estate licensing schools.

**June 1960 to Oct, 1981: Rolling Hills Escrow Company:**

Progression from escrow officer to owner and president of independent escrow company including subsidiary mortgage brokerage. Merged with Sun Realty Company.

**EDUCATION:** El Camino College, A.A. Degree Business Administration

**REFERENCES:** Available Upon Request

**FEES:** Hourly Rate \$\_\_\_\_\_. Hourly rate includes all overhead including telephone charges, copying services and auto mileage expense.

Reimbursable expenses include but are not limited to: parking expenses, cost of film/video tape and processing or other case specific sums advanced.

Travel time is billed at an hourly rate and calculated from the trustee's office.